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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO	
10/625,341	07/22/2003	Henry Adam Sowizral	004524.P041C	8589	
75	90 07/12/2005	EXAMINER			
R. Alan Burne	••	TRAN, PHUC H			
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Seventh Floor		ART UNIT	PAPER NUMBER		
12400 Wilshire	Boulevard	2666			
Los Angeles, C	A 90025-1026				
• ,			DATE MAILED: 07/12/2005		

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No. Application No. Application No. 10625,341 SOWIZRALET AL.					A /				
## Examiner PHUCH. TRAN 2668 2768 2769 276			Application No.	Applicant(s)					
PHUC H. TRAN 2666 Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILLING DATE Of THIS COMMUNICATION. Eletrations of time may be available under the provisions of 3C PR 1.136(a). In no event, however, may a reply be timely filled to the provision of time may be available under the provisions of 3C PR 1.136(a). In no event, however, may a reply be timely filled the provision of time may be available under the provisions of 3C PR 1.136(a). In no event, however, may a reply be timely filled the provision of time may be available under the provisions of 3C PR 1.136(a). In no event, however, may a reply be timely filled timely. If the period for reply specified above is lies than this (30) days, a reply within the statutory minimum of this (30) days, will be considered timely. If the period for reply specified above is lies than this (30) days, a reply within the statutory provisions. (30) (6) MONTHS from the mailing date of this communication. If the period for reply specified above, he machine underlay head underlay the days and the provision of	Office Action Summary		10/625,341	SOWIZRAL ET AL.					
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3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 5) Notice of Informal Patent Application (PTO-152) C) Other:	2) 🔲 Notic 3) 🔲 Inforr	e of Draftsperson's Patent Drawing Review (PTO-948) mation Disclosure Statement(s) (PTO-1449 or PTO/SB/08)	Paper No(s)/M 5) Notice of Inform	ail Date	2)				

DETAILED ACTION

Claim Rejections - 35 USC § 103

- 1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 2. Claims 1-2, 5, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mawhinney et al. (U.S. Patent No. 6038219) in view of Cern (U.S. Patent No. 5815298).
- With respect to claims 1, 5, and 22, Mawhinney teaches a system comprising: first and second transceivers to exchange customer traffic via a primary channel, which comprises an analog link (e.g. Fig. 3); first and second network devices coupled to the first and second transceivers, respectively, to selectively route the customer traffic via the primary channel or via an alternative channel (e.g. Fig. 5A); and first and second link quality agents coupled to the first and second transceivers, respectively (e.g. block 420 and 480 in Fig. 5A), and coupled to the first and second network devices, respectively, to monitor a quality of the analog link (e.g. block 212 in Fig. 3 monitor the quality and fault detection of links) and the control the first and second network devices to route the customer traffic to the alternative channel (block 306 in Fig 4) and to route a test traffic to the analog link is determined by at least one of the first and second link quality agents to have entered a marginal state (e.g. block 308 in Fig. 4; col. 8, lines 55-65).

 Mawhinney fails to teach the wireless optical system transceiver. Cern discloses the optical transceiver (block 10 in Fig. 2). The optical transceiver of Cern can be implement into

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Mawhinney by replace the ports (Mawhinney, Fig. 3). Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to utilize the optical transceiver of Cern into Mawhinney's access device (block 212 in Fig. 3) for transmitting data information in WLAN with high data rate and more efficiency.

- With respect to claim 2, Mawhinney further comprises rerouting the customer data to be transmitted over the analog link and discontinuing transmission of the test data over the analog link when it is determined by the link quality agent that the quality of the analog link has returned to a non-marginal state (col. 8, lines 61-65).

Allowable Subject Matter

- 3. Claims 7-21 are allowed.
- 4. Claims 3, 4, 6 and 23 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

- 5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
- Cern (U.S. Patent No. 5815298) discloses system and method for wirelessly communicating a sound signal.

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to PHUC H. TRAN whose telephone number is (571) 272-3172. The examiner can normally be reached on M-F (8-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, RAO SEEMA can be reached on (571) 272-3174. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Phuc Tran Assistant Examiner Art Unit 2664

P.t July 8, 2005

Dang ten Finary ('43)